

Introduced by Senator Harman

February 17, 2010

An act to amend Section 485 of the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 1077, as introduced, Harman. Pest control.

Existing law provides for the control and eradication of pests by the use of various methods, including establishment of a quarantine area, and authorizes the Secretary of Food and Agriculture to enter into cooperative agreements with private and specified state and federal entities for various purposes that promote and enhance agriculture. Existing law also provides that if the secretary expends funds or awards grants for the study of protocols for crops to meet standards for transport out of a quarantine area, that primary consideration be given to crops that are most at risk from the imposition of a quarantine and for which protocols do not currently exist, as long as the application otherwise meets reasonable scientific standards. Existing law authorizes the department to consult with individuals or representatives of the agriculture industry, and academic or scientific individuals, or organizations to establish criteria and assist in the recommendation of any expenditure of funds or the award of grants.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 485 of the Food and Agricultural Code
2 is amended to read:

3 485. (a) The secretary may enter into cooperative agreements
4 with private entities, and with boards, bureaus, commissions, or
5 departments of this state or of the United States, for the purpose
6 of administering compensation, conservation, disaster assistance,
7 economic assistance, education, environmental enhancement,
8 indemnification, market promotion, research,~~and~~ *or* similar
9 programs that promote and enhance agriculture.

10 (b) Upon appropriation by the Legislature, the secretary may
11 receive and expend federal funds and any nonstate matching funds
12 made available to the department for the purposes specified above
13 via grant, interagency agreement, or otherwise, and these funds
14 shall be administered in accordance with Section 221.

15 (c) (1) Grant awards shall be made by the department on a
16 competitive basis established by the department wherever possible.

17 (2) Any grant awarded on an alternative basis that is not
18 competitive shall comply with all applicable state requirements,
19 orders,~~and~~ *or* guidelines.

20 (3) Decisions of the secretary relating to the award of grants
21 shall be final.

22 (d) Procedures, forms, and guidelines established for these grant
23 programs, including the application process, are exempt from
24 Chapter 3.5 (commencing with Section 11340) of Part 1 of Division
25 3 of Title 2 of the Government Code.

26 (e) If the secretary expends funds or awards grants for the study
27 of protocols for crops to meet standards for transport out of a
28 quarantine area, the following shall apply:

29 (1) Primary consideration shall be given to crops that are most
30 at risk from the imposition of a quarantine and for which protocols
31 do not currently exist, as long as the application otherwise meets
32 reasonable scientific standards.

33 (2) The department may consult with individuals or
34 representatives of the agriculture industry; and academic or
35 scientific individuals; or organizations to establish criteria and

- 1 assist in the recommendation of any expenditure of funds or the
- 2 award of grants.

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